Remarks:

Reconsideration of the application is requested.

Claims 1-20 remain in the application.   Claim 1 has been amended.

In item 4 on page 2 of the Office action, claims 1 and 13-20 have been rejected as being anticipated by Robinson et al. (US Pat. No. 5,533,102) under 35 U.S.C. § 102(b).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.   However, the language of claim 1 has been slightly amended to even more clearly define the invention of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

> said first communications terminal having a central
> controller transmitting status data relating to
> functional features of said first communications terminal
> to a remote computer via a second network, whereby the
> <u>remote computer is programmed to generate an instruction</u>
> <u>sequence from the status data and to transmit the</u>
> <u>instruction sequence to said first communications</u>
> <u>terminal via the second network</u>; and

   said controller providing the functional features to said
   first communications terminal by processing the
   instruction sequence as a program section.
   (Emphasis added by Applicants.)

According to the invention of the instant application, the

remote computer is programmed to automatically generate an

instruction sequence from the status data and to transmit the

instruction sequence to the first communications terminal via

the second network.  In contrast, Robinson et al. teach

notifying a user at a personal computer about incoming calls

and call states in an auto-attendant system (see column 6,

lines 7-13) and letting the user to decide on a further

processing (e.g. hold, re-route, accept) of the respective

calls (see column 6, lines 25-27 and column 8, lines 5-9).

According to the teaching of Robinson et al., instruction

sequences for changing states of incoming calls are not

automatically generated from transmitted call status data by a

suitably programmed computer.  Rather, user interaction is

required to evaluate call status data and to take measures

from reported call status data by manually selecting an

appropriate request to change a call state.  Of course,

selections done by users are more susceptible to errors and

failures which are minimized by an automatic generation of

instruction sequences according to the invention of the

instant application.

The examiner has stated in the last paragraph on page 2 of the
Office action that the state register object 214 stores the
state change request and delivers it to the state controller
206 via bi-directional link 46.  However, there is neither an
explicit disclosure nor an indication in Robertson et al. that
a state change request is transmitted via the bi-directional
link 46.  Rather, a state change request is transmitted from
the client application 212 running on the called party's
personal computer 14 as a second communications terminal to the
state registry object 214 of the auto-attendant system 200 as a
first communications terminal via a Local Area Network 30 (see
Fig. 2).  Robinson et al. explicitly describe in column 5,
lines 58-62 (referring to Fig. 2) that the communications link
from the auto-attendant system 200 implemented by the call
processor system 38 (see also column 4, line 62 to column 6,
line 5) to the called party's personal computer 14 is
accomplished via the Local Area Network 30.  Since nothing
contrary is disclosed in the specification and especially in
Fig. 2 of Robinson et al., it has to be assumed that this also
applies to the reverse direction.

In addition, Robinson et al. also do not disclose that the
functional features are made available in the first
communications terminal by processing the instruction sequence
as a program section.  The advantage of this feature is that
the functional features are controlled and if necessary

changed without intervention in the communications terminal being required (see page 2, lines 11-16 and page 18, line 22 to page 19, line 11 of the specification of the instant application).

The Examiner fails to clearly demonstrate how he applied the alleged features known from Robinson et al. to the invention of the instant application. In particular, it is not clear what the Examiner considers to be the first and the second communications terminals, the first and the second networks, the remote computer and the central controller. This makes it difficult to follow the Examiner's arguments.

Clearly, Robinson et al. do not show that "the remote computer is programmed to generate an instruction sequence from the status data and to transmit the instruction sequence to said first communications terminal via the second network; and said controller providing the functional features to said first communications terminal by processing the instruction sequence as a program section", as recited in claim 1 of the instant application.

Claim 1 is, therefore, believed to be patentable over Robinson et al. and since claims 13-20 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 15 on page 5 of the above-mentioned Office action, claims 2-4 have been rejected as being unpatentable over Robinson et al. in view of the well-known feature of using Internet protocol under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claims 2-4 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 17 on page 5 of the above-mentioned Office action, claims 5-9 have been rejected as being unpatentable over Robinson et al. in view of the well-known feature of using H.323 protocol under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claims 5-9 are ultimately dependent on claim 1, they are believed to be patentable as well.

In item 25 on page 7 of the above-mentioned Office action, claims 10-12 have been rejected as being unpatentable over Robinson et al. in view of Lam (US Pat. No. 6,052,461) under 35 U.S.C. § 103(a).

As discussed above, claim 1 is believed to be patentable over the art. Since claims 10-12 are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-20 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

For Applicants

YHC:cgm

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Marked-Up Version of the Amended Claims:

Claim 1 (amended).  A communications system, comprising:

a first communications terminal to be connected, via a first network, to a second communications terminal;

said first communications terminal having a central controller transmitting status data relating to functional features of said first communications terminal to a remote computer via a second network, whereby the remote computer is programmed to automatically generate an instruction sequence from the status data and to transmit the instruction sequence to said first communications terminal via the second network; and

said controller [controlling the provision of] providing the functional features to said first communications terminal by processing the instruction sequence as a program section.